

**REPEAL OF EXEMPTION FROM  
NONRESIDENT TUITION**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: Glenn A. Donnelson**

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**LONG TITLE**

**General Description:**

This bill modifies the State System of Higher Education Code by repealing an exemption from nonresident tuition.

**Highlighted Provisions:**

This bill:

► repeals the provision that, if allowed under federal law, a student, other than a nonimmigrant alien, shall be exempt from the nonresident portion of total tuition if the student:

- attended high school in this state for three or more years; and
- graduated from a high school or received its equivalent in this state.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

REPEALS:

**53B-8-106**, as enacted by Chapter 230, Laws of Utah 2002

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. **Repealer.**



28           This bill repeals:  
29           Section **53B-8-106, Resident tuition -- Requirements -- Rules.**

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**Legislative Review Note**  
**as of 2-4-04 7:56 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0366**

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**Repeal of Exemption from Nonresident Tuition***12-Feb-04**10:06 AM*

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**State Impact**

Repeal of the exemption for nonresident tuition could generate \$271,000 in dedicated credits based on 91 students currently taking advantage of these exemptions.

	<u>FY 2005</u> <u>Approp.</u>	<u>FY 2006</u> <u>Approp.</u>	<u>FY 2005</u> <u>Revenue</u>	<u>FY 2006</u> <u>Revenue</u>
Dedicated Credits Revenue	\$0	\$0	\$271,000	\$283,200
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$271,000</b>	<b>\$283,200</b>

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**Individual and Business Impact**

Undocumented immigrant alien nonresident students would be required to pay out of state tuition.

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**Office of the Legislative Fiscal Analyst**